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SUBJECT: REQUEST TO EXPAND THE AGENDA OF THE LEGISLATIVE DRAFTING EXPERT WORKSHOP IN ALMATY ON 15-18 SEPTEMBER 2009

¶1. This is an action request. See paragraphs 4-5.

¶2. The entire text of this cable is UNCLASSIFIED.

¶3. BACKGROUND ON WORKSHOP: The Terrorism Prevention Branch (TPB) of the United Nations Office on Drugs and Crime (UNODC) has proposed to hold a workshop with the Government of Kazakhstan (GOKZ) in Almaty on September 15-18, 2009, aimed at strengthening Kazakhstan's national legislation on the implementation of the international instruments and relevant UN Security Council Resolutions against terrorism. During the nuclear smuggling discussions between the Department's Nuclear Smuggling Outreach Initiative (NSOI) and the GOKZ on June 10, 2009, the NSOI team proposed to hold a separate workshop to help the GOKZ review its laws to determine if they provide sufficient legal authority to prosecute all types of cases of nuclear smuggling, and the Kazakhstani side agreed to this proposal. NSOI and TPB/UNODC agree that the September workshop would provide an excellent opportunity to conduct the review of the GOKZ's nuclear smuggling laws, as well. TPB/UNODC suggested that NSOI contact Ms. Arman Mukhametzhanova at the GOKZ's Ministry of Foreign Affairs to propose expanding the agenda of the September workshop to include a session for such a review and a discussion on the criminalization of nuclear smuggling cases.

¶4. Request Embassy deliver the letter in paragraph 5 to Ms. Mukhametzhanova and pass back any immediate response.

¶5. Begin text of letter:

Ms. Arman Mukhametzhanova
Specialist, Department of Multilateral Cooperation
Ministry of Foreign Affairs
Republic of Kazakhstan

Dear Ms. Mukhametzhanova,

We understand that the United Nations Office on Drugs and Crime (UNODC) has proposed to hold a Legislative Drafting Expert Workshop in Almaty on September 15-18 to help your government review its laws related to the universal legal framework against terrorism.

On June 10, 2009, delegations of our governments met to discuss cooperative efforts to combat the illicit trafficking of nuclear and radioactive materials. During that discussion, the U.S. side proposed to hold a workshop to help your government review its laws to determine if they provide sufficient legal authority to prosecute all types of cases of illicit nuclear trafficking, and the Kazakhstani side accepted this proposal. Any questions you may have about the June 10 discussions may be addressed to Ms. Colleen Altstock at the U.S. Embassy in Astana.

We believe that the workshop with UNODC in September would provide an excellent opportunity to conduct this review of your laws related to the illicit trafficking of nuclear and radioactive materials. If acceptable to your government, we would like to expand the agenda of the UNODC workshop to

include a session for this review and a discussion on the criminalization of these illicit trafficking cases.

The Nuclear Smuggling Outreach Initiative and the United States Department of Justice have worked with UNODC to hold similar joint legislative drafting workshops in Ukraine and Armenia, and both governments found these workshops to be very useful.

We are prepared to coordinate with UNODC if your government is willing to expand the scope of the September workshop as described above. Please send your response to this request to Ms. Altstock at the U.S. Embassy.

We appreciate your consideration of this matter.

Sincerely,

Michael F. Stafford
U.S. Negotiator for Nuclear Security and Dismantlement
Nuclear Smuggling Outreach Initiative
U.S. Department of State

End text of letter.

¶6. State Points of Contact: Jennifer Mastros Lynch(MastrosJL@state.gov), phone 202-736-7978; Michael Baumann (BaumannMR@state.gov), phone 202-736-7984.

¶7. Department greatly appreciates Post,s assistance.
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